

BILL NO. G-96-02-07 (AS AMENDED)

GENERAL ORDINANCE NO. G-

01-97

AN ORDINANCE for the purpose of  
vacating a dedicated utility easement.

WHEREAS, a petition to vacate a dedicated utility easement within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

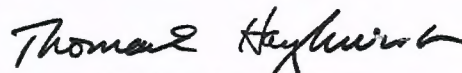
NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a dedicated utility easement within the City of Fort Wayne, more specifically described as follows, to-wit:

The North 2 feet of Lot #5, except the West 6 feet and the South 2 feet of Lot #6, except the West 6 feet in Southwood Heights Addition, according to Plat Book 10, pages 4-6 in the Office of the Allen County Recorder.

and which vacating allows the dedicated utility easement to  
revert to the ownership of the adjacent property owners.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.



COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
J. TIMOTHY MCCAULAY, CITY ATTORNEY

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Sandra E. Kennedy, City Clerk

1 BILL NO. G-96-02-87

2 GENERAL ORDINANCE NO. G-\_\_\_\_\_

3  
4 AN ORDINANCE for the purpose of  
5 vacating a dedicated utility easement.

6 WHEREAS, a petition to vacate a dedicated utility easement within the City of Fort  
7 Wayne (as more specifically described below) was duly filed with the City Planning  
8 Commission; and

9 WHEREAS, said Commission duly held a public hearing thereon; and

10 WHEREAS, said Commission has duly forwarded its recommendation to this body  
11 approving said petition, and this body having held a public hearing on said vacation as  
12 provided in I.C. 36-7-3-12; and

13 WHEREAS, this body concurs in the recommendation of the City Planning  
14 Commission.

15 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE  
16 CITY OF FORT WAYNE, INDIANA:

17 SECTION 1. That the petition filed herein to vacate a dedicated utility easement  
18 within the City of Fort Wayne, more specifically described as follows, to-wit:

19 The North 2 feet of Lot #5 and the South 2 feet of Lot #6 in Southwood Heights  
20 Addition, according to Plat Book 10, pages 4-6 in the Office of the Allen County  
21 Recorder.

22 and which vacating allows the dedicated utility easement to  
23 revert to the ownership of the adjacent property owners.

24 SECTION 2. That this Ordinance shall be in full force and effect from and after  
25 its passage, any and all necessary approval by the Mayor.  
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3 \_\_\_\_\_  
4 COUNCILMEMBER  
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6 APPROVED AS TO FORM AND LEGALITY:

7 \_\_\_\_\_  
8 J. TIMOTHY MCCAULAY, CITY ATTORNEY  
9

10 \*\* Public hearing to be held on \_\_\_\_\_,  
11 the \_\_\_\_\_ day of \_\_\_\_\_, 1996,  
12 in the Council Chambers.  
13

14 \_\_\_\_\_  
15 Sandra E. Kennedy, City Clerk  
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Read the first time in full and on motion of Resolution and duly adopted, read the second time by title and referred to the Committee on Resolutions (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on 2-13-96, the 19 day of February at 10 o'clock M., E.S.T.

DATED: 2-13-96

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Hayhurst and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT				<u>✓</u>

DATED: 1-14-97

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 2-01-97

on the 14th day of January, 19 97

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Thomas P. Henry  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of January, 19 97 at the hour of 11:30 o'clock P. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 16th day of January, 19 97, at the hour of 9:30 o'clock A. M., E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR



# RECEIPT

No 18471

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IN., B-28 19 75

RECEIVED FROM Mildred Tool & Eng \$ 200.00

THE SUM OF two hundred & 00/100 DOLLARS

ON ACCOUNT OF \_\_\_\_\_

20107 Cement Vapors  
10/2

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

AUTHORIZED SIGNATURE



# Vacation Petition

Community & Economic Development / 1 Main Street Rm. 830  
Fort Wayne, IN 46802 / (219) 427-1140

#602

I/We do hereby petition to vacate the following:

☐ Plat or portion of plat

☒ Easement

☐ Public Right-of-Way (street or alley)

More particularly described as follows:

~~BETWEEN LOT #5 & LOT #6 IN SOUTHWOOD HEIGHTS~~

~~ADDITION @ 4910 AVONDALE DRIVE 46806~~

**SEE ATTACHED**

(Please attach a legal description of the property)

The reasons for the proposed vacation are as follows:

WE OWN THE PROPERTY & BUILDING WHICH ARE SERVED BY  
THIS EASEMENT - THE BUILDING IS CENTERED OVER IT - IT IS FOR  
WATER & SEWER COMING TO ONLY OUR BUILDING & WE CAN'T  
REFINANCE WITH IT THERE!

(If additional space is needed please attach a separate page)

Property owner(s) name(s): GILDEA TOOL & ENGR. CO., INC.

Street Address: 4910 AVONDALE DRIVE

City: FT WAYNE State: IN Zip: 46806 Phone: 456-1922

(If additional space is needed please attach a separate page)

Applicants Name (if different from above): STEVEN E. GILDEA

Street Address: 14322 POWDERHORN ROAD

City: FT. WAYNE State: IN Zip: 46804 Phone: 672-9405

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.

Steven E. Gildea  
Signature

STEVEN E. GILDEA 12/14/95  
Printed Name Date

14322 POWDERHORN Rd  
Address

FT WAYNE, IN 46804  
City/state/zip

Anita L. Gildea  
Signature

ANITA L. GILDEA 12/14/95  
Printed Name Date

14322 POWDERHORN Rd  
Address

FT. WAYNE IN 46804  
City/state/zip



Agents Name (Please print legibly): Steve Gledio  
Street Address: 4910 Arondale Drive  
City: 7+ Wayne State: In Zip: 46806 Phone: 219 456-1922

NOTICE:

- Legal description is to be of the area to be vacated and must be complete and correct. If necessary a licensed surveyor's legal description may be required.
- All adjacent property owner's signatures must accompany this application.
- Applicant is hereby informed that in the case of a utility being located in a public way or easement, the applicants may be required to bear the cost of relocation, or of providing a replacement easement or easements as needed.
- Applicant is also hereby informed that the vacation of a subdivision plat does not necessarily vacate any dedicated right-of-way(s) or utility easement(s), nor any restrictive covenants that may apply.

For Office Use Only:

Receipt #:	Date Filed:
Map #:	Reference #:



**Gildea****Tool & Engineering Company Inc.****Designers & Builders of:**

Dies, Fixtures  
Gages, Molds &  
Special Machines

**Specializing In:**

Electrical Discharge Machining  
Both Wire & Conventional

1/16/96

To: City Plan Commission:

The revised legal description of  
the Utility Easement that we need  
removed is as follows:

the north 2 feet of lot 5 and the  
south 2 feet of lot 6 in Southwood  
Heights Addition according to Plat  
Book 10, pages 4-6 in the office of  
the Recorder of Allen County.

Sincerely,  
Steven E. Gildea, Pres.  
Gildea Tool & Eng'g. Co., Inc.

RESOLUTION 83-59-25

WHEREAS, GILDEA TOOL & ENGINEERING CO., INC., has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement situated in Fort Wayne, Allen County, to-wit:

The North 2 feet of Lot #5, except the West 6 feet and the South 2 feet of Lot #6, except the West 6 feet in Southwood Heights Addition, according to Plat Book 10, pages 4-6 in the Office of the Allen County Recorder.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-3-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

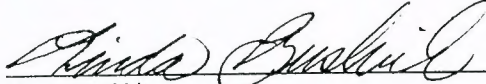
BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated utility easement or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

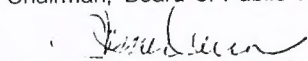
STATE OF INDIANA)  
 ) SS:  
COUNTY OF ALLEN )

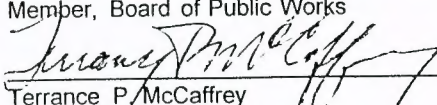
I, LINDA BUSKIRK, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held NOV. 13, 1996 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 13 DAY OF NOVEMBER 1996

FORT WAYNE BOARD OF PUBLIC WORKS

  
Linda Buskirk  
Chairman, Board of Public Works

  
C. James Owen  
Member, Board of Public Works

  
Terrance P. McCaffrey  
Member, Board of Public Works



RESOLUTION

WHEREAS, GILDEA TOOL & ENGINEERING CO., INC., has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement situated in Fort Wayne, Allen County, to-wit:

The North 2 feet of Lot #5, except the West 6 feet and the South 2 feet of Lot #6, except the West 6 feet in Southwood Heights Addition, according to Plat Book 10, pages 4-6 in the Office of the Allen County Recorder.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-3-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said public hearing was held on February 19, 1996 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated utility easement.

WHEREAS, said vacation of dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated utility easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated utility easement in Allen County, Indiana.

STATE OF INDIANA)  
 ) SS:  
COUNTY OF ALLEN )

I, Carol Kettler Sharp, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held, February 26, 1996 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 7th DAY OF November 1996

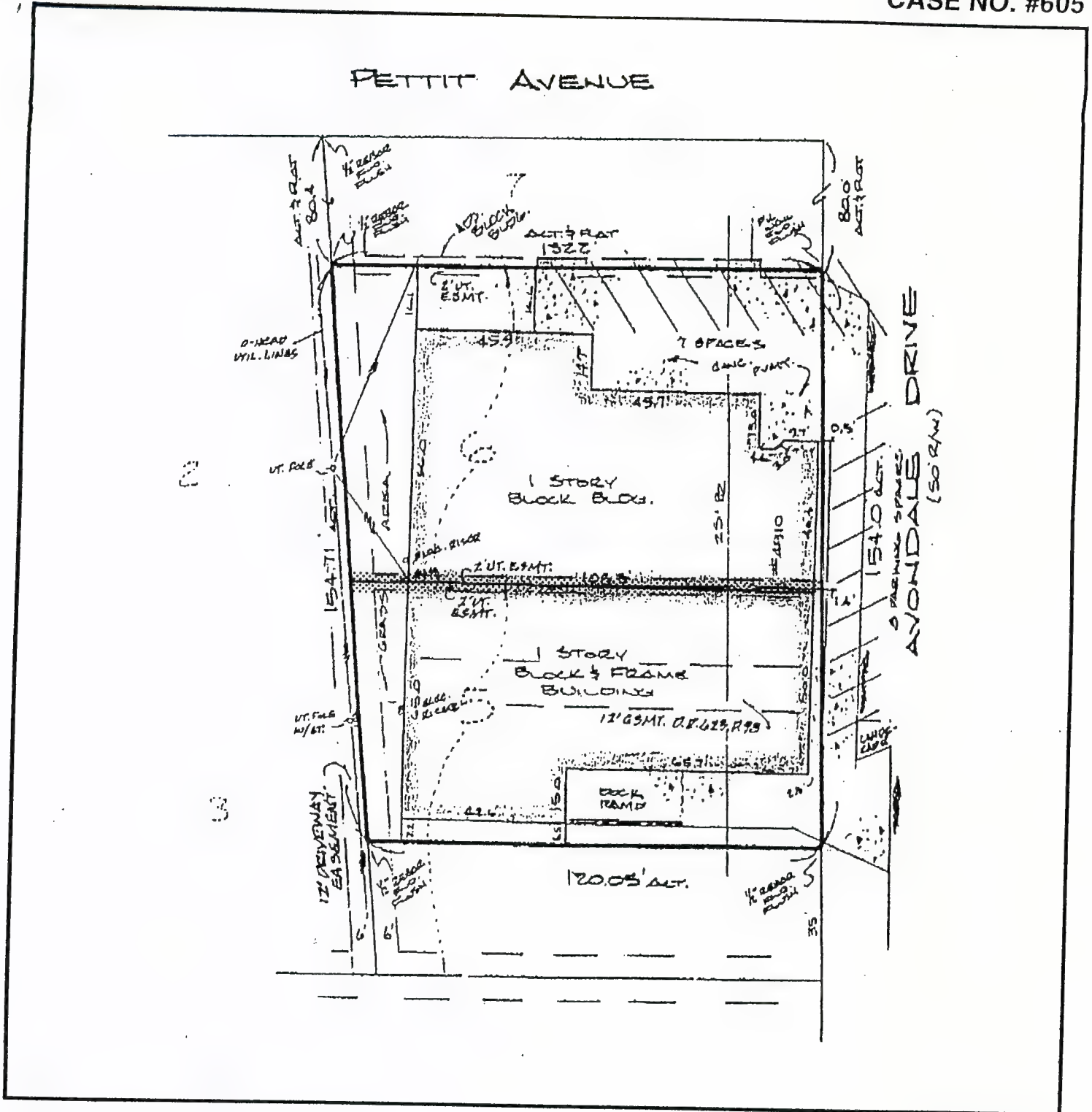
FORT WAYNE CITY PLAN COMMISSION

  
\_\_\_\_\_  
Carol Kettler Sharp  
Secretary

# VACATION PETITION

AREA MAP

CASE NO. #605



COUNCILMANIC DISTRICT NO. 5

Map No. N - 19  
LW 1-22-96

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	MHP	Mobile Home Park
PUD	Planned Unit Dev.	POD	Professional Office District		



# FACT SHEET

G-96-02-07

BILL NUMBER

## Division of Community Development & Planning

BRIEF TITLE

APPROVAL DEADLINE

REASON

Utility Easement Vacation

### DETAILS

<p><b>Specific Location and/or Address</b></p> <p>The north 2' of Lot #5, except the W 6' &amp; the south 2' of Lot #6, except the W 6' in Southwood Heights Addition.</p>
<p><b>Reason for Project</b></p> <p>Refinancing</p>
<p><b>Discussion (Including relationship to other Council actions)</b></p> <p><u>19 February 1996 - Public Hearing</u></p> <p>Steve Gildea, 2910 Avondale Av, petitioner, appeared before the Commission. He stated that he was requesting the easement be vacated in order that they can refinance their building. He stated that this easement has not shown up over the last 50 years, until the refinancing survey was done this fall. He stated that they did a building addition 5 years ago and it did not show up then. He stated that it was platted in 1946 and the original building was built over the easement. He stated that they own both properties and the easement goes right through the middle of the building. He stated that there was a request that they allow 6 feet of the easement to remain and they have not problem with that request.</p> <p>Ernest Evans questioned if he was aware of any utilities in the easement.</p> <p>He stated that the only easement would be their own water and sewer lines that service the building.</p> <p>Mr. Evans questioned if he was sure that the water and sewer lines were beneath the</p>

### POSITIONS

### RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide  Other Areas
Applicants/ Proponents	Applicant(s) Steve Gildea / Gildea Tool & Engineering Co City Department  Other
Opponents	Groups or Individuals  Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  Reason Against
Board or Commission Recommendation	By  <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken  <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

## POLICY/PROGRAM IMPACT

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation, contingent upon the petitioner amending the request by deleting the west 6 feet of the easement from the petition.

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

Members Absent: James Hoch, Carol Kettler Sharp

Reference pr Case Number



ORIGINAL

ORIGINAL

#605

DIGEST SHEET

TITLE OF ORDINANCE Easement Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE Easement lying between Lots 5 & 6 in  
Southwood Heights Addition.

12-96-02-07 (as amended)

EFFECT OF PASSAGE Property is currently a dedicated utility  
easement. Property will be vacated and convert to the ownership  
and use of the adjacent property owner.

EFFECT OF NON-PASSAGE Property will remain a dedicated utility  
easement.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE) \_\_\_\_\_

BILL NO. G-96-02-07 (as amended)

REPORT OF THE COMMITTEE ON REGULATIONS

THOMAS E. HAYHURST - REBECCA J. RAVINE - CO-CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON \_\_\_\_\_ REGULATIONS \_\_\_\_\_ TO  
WHOM WAS REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ XXXXXXXXXX for the  
purpose of vacating a dedicated utility easement \_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) ~~(RESOLUTION)~~ \_\_\_\_\_

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Thomas E. Hayhurst

Martin A. Bump

Patricia J. Jansky

Elaine J. Kaurer

James W. Chappin

Richard Hall

Clinton R. Edmonds

DATED: 1-14-97

Sandra E. Kennedy  
City Clerk





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

December 12, 1996

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of December 16, 1996, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-96-02-07 (as amended)  
Easement Vacation Ordinance

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(BILL NO. G-96-02-07)  
(AS AMENDED)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, JANUARY 14, 1997, AT 5:30 P.M., (EST) IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EASEMENT LYING BETWEEN LOTS 5 & 6 IN SOUTHWOOD  
HEIGHTS ADDITION

THE NORTH 2 FEET OF LOT #5, EXCEPT THE WEST 6 FEET AND  
THE SOUTH 2 FEET OF LOT #6, EXCEPT THE WEST 6 FEET IN  
SOUTHWOOD HEIGHTS ADDITION, ACCORDING TO PLAT BOOK 10,  
PAGES 4-6 IN THE OFFICE OF THE ALLEN COUNTY RECORDER AND

ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING  
CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND  
FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION"  
SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY  
(219)427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE  
MEETING.

SANDRA E. KENNEDY  
CITY CLERK



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

December 12, 1996

Steve Gildea  
4910 Avondale Drive  
Fort Wayne, IN 46806

### NOTICE OF PUBLIC HEARING ON BILL NO. G-96-02-07 (AS AMENDED)

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, January 14, 1997, at 5:30 P.M., in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

Easement lying between Lots 5 & 6 in Southwood Heights  
Addition - north 2' of Lot #5, except the W 6' & the  
south 2' of Lot #6, except the W 6' in Southwood  
Heights Addition - Refinancing

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy  
City Clerk



*From the desk of:*  
**Pat Biancaniello**

AGENT:

Steve Gildea  
4910 Avondale Dr  
City 06

456-1922

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

37

 lines, 

1

 columns wide equals 

37

 equivalent lines  
at 

.346

 cents per line

\$ 12.80

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 13.80

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: DEC 16, 19 96

Title: Julie L Smith Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

en County )

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(BILL NO. 6-96-02-07)  
(AS AMENDED)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, Indiana, will conduct a public hearing on Tuesday, January 14, 1997, at 5:30 p.m., (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Easement lying between lots 5 & 6 in southwood heights addition

The north 2 feet of Lot #5, except the west 6 feet and the south 2 feet of lot #6, except the west 6 feet in southwood heights addition, according to plat book 10, pages 4-6 in the office of the Allen County Recorder and

All interested parties are invited to appear and be heard.

"Reasonable Accommodations" for persons with a known disabling condition will be considered in accordance with the state and federal law. Any person needing a "Reasonable Accommodation" should notify public information office (219) 427-1120, TTY (219) 427-1200, at least seventy-two (72) hours prior to the meeting.

SANDRA E. KENNEDY  
CITY CLERK  
#330642

12-16

ersonally appeared before me, a notary public in and for said county and state, the  
ersigned JULIE L SMITH who, being duly sworn, says that he/  
is Clerk of the The News-Sentinel newspaper of general  
ulation printed and published in the English language in the (city) (town) of  
Fort Wayne, IN in state and county aforesaid, and that the printed matter  
ached hereto is a true copy, which was duly published in said paper for  
1 time , the dates of publication being as follows:

12-16-96

scribed and sworn to before me this 16th day of DEC, 19 96.

Mary L Schneider  
Notary Public  
MARY L SCHNEIDER  
NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY  
MY COMMISSION EXP JUNE 14, 1997

commission expires:



PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
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TOTAL AMOUNT OF CLAIM

\$ 

13.80

DATA FOR COMPUTING COST

Width of single column 

12.5

 ems

Number of insertions 

1

Size of type 

6

 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: 

DEC 16

, 19 

96

Title: 

Julie L Smith

 Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana )  
) ss:  
Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned **JULIE L SMITH** who, being duly sworn, says that he/she is **Clerk** of the **The Journal-Gazette** newspaper of general circulation printed and published in the English language in the (city) (town) of **Fort Wayne, IN** in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **1** time **12-16-96**, the dates of publication being as follows:

Subscribed and sworn to before me this **16th** day of **DEC**, 19 **96**.

Julie L Smith

Mary L Schneider

Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP. JUNE 14, 1997

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(BILL NO. G-96-02-07)  
(AS AMENDED)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, Indiana, will conduct a public hearing on Tuesday, January 14, 1997, at 5:30 p.m., (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Easement lying between lots 5 & 6 in southwood heights addition

The north 2 feet of Lot #5, except the west 6 feet and the south 2 feet of lot #6, except the west 6 feet in southwood heights addition, according to plat book 10, pages 4-6 in the office of the Allen County Recorder and

All interested parties are invited to appear and be heard.

"Reasonable Accommodations" for persons with a known disabling condition will be considered in accordance with the state and federal law. Any person needing a "Reasonable Accommodation" should notify public information office (219) 427-1120, TTY (219) 427-1200, at least seventy-two (72) hours prior to the meeting.

SANDRA E. KENNEDY  
CITY CLERK  
#330642

12-16